

## Memorandum



**Date:** November 22, 2004

**To:** Diane O'Quinn-Williams, Director  
Department of Planning and Zoning

**From:** John W. Renfrow, P.E., Director  
Environmental Resources Management

**Subject:** #Z2004000161-Revised  
Black Creek, LC  
SEC of Old Cutler Road & Florida Turnpike  
DBC from AU to RU-1M(a)  
(AU) (50 Ac.)  
17-56-40

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DEC 01 2004

MIAMI-DADE COUNTY  
DIRECTOR'S OFFICE  
DEPT. OF PLANNING & ZONING

DERM has reviewed the subject application and has determined that it meets the minimum requirements of Chapter 24 of the Code of Miami-Dade County, Florida. Accordingly, DERM may approve the application, and the same may be scheduled for public hearing.

Potable Water Supply and Wastewater Disposal:

Public water and public sanitary sewers can be made available to this property. Therefore, DERM will require connection to the public water supply and public sanitary sewer systems.

Existing public water and sewer facilities and services meet the Level of Service (LOS) standards set forth in the Comprehensive Development Master Plan (CDMP). Furthermore, the proposed development order, if approved, will not result in a reduction in the LOS standards subject to compliance with the conditions required by DERM for this proposed development order.

Notwithstanding the foregoing, in light of the fact that the County's sanitary sewer system has limited sewer collection, transmission, and treatment capacity, no new sewer service connections can be permitted, unless there is adequate capacity to handle the additional flows that this project would generate. Consequently, final development orders for this site may not be granted if adequate capacity in the system is not available at the point in time when the project will be contributing sewage to the system. Lack of adequate capacity in the system may require the approval of alternative means of sewage disposal. Use of an alternative means of sewage disposal may only be granted in accordance with Code requirements, and shall be an interim measure, with connection to the public sanitary sewer system required upon availability of adequate collection/transmission and treatment capacity.

Stormwater Management:

The property is located within a Brownfield area; therefore, an environmental assessment may be required prior to the approval of any drainage system.

All stormwater shall be retained on site utilizing properly designed seepage or infiltration drainage structures. Drainage must be provided for the 5-year storm event with full on-site retention of the 25-year/3 day storm. Pollution Control devices shall be required at all drainage inlet structures.

A Surface Water Management Individual Permit from DERM shall be required for the construction and operation of the required surface water management system. This permit must be obtained prior to re-

development of site, final plat and public works approval of paving and drainage plans. The applicant is advised to contact DERM in order to obtain additional information concerning permitting requirements.

Positive drainage systems and overland stormwater runoff into any proposed lake or the neighboring canal are not permitted. Therefore, DERM will require that an earthen berm with a top elevation of one foot above flood criteria be placed along any proposed lake in order to prevent overland discharge of stormwater runoff. A Class II permit would be required for the construction of a drainage system with an outfall to any proposed lake or the adjacent canal.

The canal adjacent to the subject property, C-1, is owned and regulated by the South Florida Water Management District (SFWMD). Therefore, approval from the SFWMD will be required. The applicant is advised to contact the Water Control Section of DERM in order to obtain additional information concerning these requirements.

Site grading and development shall comply with the requirements of Chapter 11C of the Code of Miami-Dade County.

Any proposed development shall comply with County and Federal flood criteria requirements. The proposed development order, if approved, will not result in a reduction in the Level of Service standards for flood protection set forth in the Comprehensive Development Master Plan subject to compliance with the conditions required by DERM for this proposed development order.

Wetlands:

Although the subject property is located in a designated wetland basin, a site inspection performed on May 17, 2004 has revealed that the subject property does not contain jurisdictional freshwater wetlands as defined by Chapter 24-3 of the Code of Miami-Dade County. Therefore, a Miami-Dade Class IV Wetland Permit will not be required for work on the subject property.

Notwithstanding the above, permits from the Army Corps of Engineers (USACOE), the State of Florida Department of Environmental Protection (FDEP) and the South Florida Water Management District (SFWMD) may be required for the proposed project. The applicant is advised to contact these agencies concerning their permit procedures and requirements.

Tree Preservation:

There are no tree resources issues on this property. Therefore, no tree permits will be required.

Enforcement History:

DERM has reviewed the Permits and Enforcement database and the Enforcement Case Tracking System and has found no open or closed formal enforcement records for the subject properties identified in the subject application.

Concurrency Review Summary:

The Department has conducted a concurrency review for this application and has determined that the same meets all applicable Levels of Service standards for an initial development order, as specified in the adopted Comprehensive Development Master Plan for potable water supply, wastewater disposal and flood protection. Therefore, the application has been approved for concurrency subject to the comments and conditions contained herein.

This concurrency approval does not constitute a final concurrency statement and is valid only for this initial development order as provided for in the adopted methodology for concurrency review.

Additionally, this approval does not constitute any assurance that the LOS standards would be met by any subsequent development order applications concerning the subject property.

In summary, the application meets the minimum requirements of Chapter 24 of the Code and therefore, it may be scheduled for public hearing; furthermore, this memorandum shall constitute DERM's written approval to that effect as required by the Code.

cc: Lynne Talleda, Zoning Evaluation- P&Z  
Ron Connally, Zoning Hearings- P&Z  
Franklin Gutierrez, Zoning Agenda Coordinator-P&Z